

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARILYN BULLOCK, et al.

Plaintiffs,

v

KENNETH J. FRANK, M.D., et al.

Defendants.

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Civil Action No. 05-0142-CG-D

ORDER

The matter is before the court on Defendant David N. Chandler's Motion to Dismiss (Doc. 16) filed on July 11, 2005. Plaintiffs were twice granted extensions of time to file a response in opposition (see Docs. 21 & 23); however, a response has not been filed to date. The court views plaintiffs' non-response as conceding the issue, and hereby **GRANTS** the motion to dismiss. Therefore, plaintiffs' claims against David N. Chandler are hereby **DISMISSED WITH PREJUDICE**.

DONE and ORDERED this 4th day of October, 2005.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE